



07-28-03

Attorney Docket No. 14609-0009

#11 AF  
2838THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stuart I. Hodge, Jr. : Group Art Unit: 2838  
Serial No.: 09/749,354 : Examiner: Gary Laxton  
Filed: December 27, 2000 :

Title: **METHOD AND CIRCUITRY FOR ACTIVE INRUSH CURRENT LIMITER AND POWER FACTOR CONTROL**

**CERTIFICATE OF MAILING BY EXPRESS MAIL**  
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Sir:

I hereby certify that the following correspondence is being deposited in the United States Postal Service as Express Mail on the date shown below in an envelope addressed to: Mail Stop Appeal Brief-Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Letter (1 page);
2. Copy of Notice of Non-Compliance (2 pages);
3. Appellants(Revised) Brief (28 pages); and
4. A return receipt postcard.

Dated: 7/25/03

*Suzanne Shields*  
Suzanne Shields

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GALLAGHER & KENNEDY, P.A.  
Attorneys at Law  
2575 East Camelback Road  
Phoenix, AZ 80516-9225  
Tel. No. (602) 530-8000  
Fax No. (602) 530-8500



**ON APPEAL TO THE U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant : Stuart I. Hodge, Jr. Examiner: Gary Laxton  
 Serial No. : 09/749,354 Art Unit: 2838  
 Filed : 12/27/2000  
 For : Method and Circuitry for Active Inrush Current Limiter and  
       Power Factor Control

**APPELLANT'S (REVISED) BRIEF**

**LETTER**

Enclosed are three copies of Appellant's (Revised) Appeal Brief. The Revised Brief makes corrections called for in the outstanding "Notification of Non-Compliance" mailed June 27, 2003, a copy of which is attached.

No extension of time is believed necessary for the filing of the enclosed. However, in the event that an extension of time is found to be needed, applicant requests that extension and authorizes the U.S. Patent and Trademark Office to charge the deposit account 070135 of the undersigned. A copy of this page is enclosed.

Respectfully submitted,

**GALLAGHER & KENNEDY**

  
By:

Thomas D. MacBlain  
Reg. No. 24,583  
Attorney for Appellant

Gallagher & Kennedy, P.A.  
2575 East Camelback Road  
Phoenix, AZ 85016-9225  
602-530-8088  
[tdm@gknet.com](mailto:tdm@gknet.com)

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/749,354	12/27/2000	Stuart I. Hodge JR.	786-009917-US (PAR)	5467
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PERMAN & GREEN				
425 POST ROAD				
FAIRFIELD, CT 06824				

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DUE DATE \_\_\_\_\_  
PAPER DATED \_\_\_\_\_  
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APPEAL \_\_\_\_\_ ISSUE FEE \_\_\_\_\_  
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EXAMINER	
ART UNIT	PAPER NUMBER

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Notification of Non-Compliance  
With 37 CFR 1.192(c)**

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PATENT & TRADEMARK OFFICE  
JUL 25 2003  
SAC

Application No.

09/749,354

Applicant(s)

HODGE, STUART I.

Examiner

Gary L. Laxton

Art Unit

2838

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--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 03 March 2003 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPPLICATE a complete new brief in compliance with 37 CFR 1.192 (c) within the longest of any of the following three TIME PERIODS: (1)ONE MONTH or THIRTY DAYS from the mailing date of this Notification, whichever is longer; (2) TWO MONTHS from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. EXTENTIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.

1.  The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2.  The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3.  At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4.  The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5.  The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6.  A single ground of rejection has been applied to two or more claims in this application, and
  - (a)  the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
  - (b)  the brief includes the statement required by 37 CFR 1.192(c) (7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7.  The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8.  The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9.  Other (including any explanation in support of the above items):

The appeal brief filed on 3/3/03 is defective because the three copies of the brief required under 37 CFR 1.192(a) have not been submitted. To avoid dismissal of the appeal, appellant must submit the necessary additional copies of the appeal brief within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or, (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

MICHAEL SHERRY  
SUPERVISORY PATENT EXAMINER  
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